

## Environmental Protection Agency

§ 63.1620

| General provisions reference  | Applicable to subpart VVV | Explanation  |
|-------------------------------|---------------------------|--|
| § 63.8(e) .....               | Yes .....                 | New sources may be required to conduct a performance evaluation of CMS.  |
| § 63.8(f) .....               | Yes .....                 | New sources may use an alternative monitoring method.  |
| § 63.8(g) .....               | Yes .....                 | Requirements for reduction of monitoring data.   |
| § 63.9 .....                  | Yes .....                 | NOTIFICATION REQUIREMENTS.   |
| § 63.9(a) .....               | Yes .....                 | Applicability of notification requirements.  |
| § 63.9(b) .....               | Yes .....                 | Applicability of notification requirements. Existing major non-industrial POTW treatment plants, and existing and new or reconstructed area non-industrial POTW treatment plants are not subject to the notification requirements. |
| § 63.9(c) .....               | Yes .....                 | Request for extension of compliance with subpart VVV.  |
| § 63.9(d) .....               | Yes .....                 | Notification that source is subject to special compliance requirements as specified in § 63.6(b)(3) and (4).   |
| § 63.9(e) .....               | Yes .....                 | Notification of performance test.  |
| § 63.9(f) .....               | No .....                  | POTW treatment plants do not typically have visible emissions.   |
| § 63.9(g) .....               | Yes .....                 | Additional notification requirements for sources with continuous emission monitoring systems.  |
| § 63.9(h) .....               | Yes .....                 | Notification of compliance status when the source becomes subject to subpart VVV.  |
| § 63.9(i) .....               | Yes .....                 | Adjustments to time periods or postmark deadlines or submittal and review of required communications.  |
| § 63.9(j) .....               | Yes .....                 | Change of information already provided to the Administrator.   |
| § 63.10 .....                 | Yes .....                 | RECORDKEEPING AND REPORTING REQUIREMENTS.  |
| § 63.10(a) .....              | Yes .....                 | Applicability of notification and reporting requirements.  |
| § 63.10(b)(1)–(2) .....       | Yes .....                 | General recordkeeping requirements.  |
| § 63.10(b)(3) .....           | No .....                  | Recording requirement for applicability determination.   |
| § 63.10(c) .....              | Yes .....                 | Additional recordkeeping requirements for sources with continuous monitoring systems.  |
| § 63.10(d) .....              | Yes .....                 | General reporting requirements.  |
| § 63.10(e) .....              | Yes .....                 | Additional reporting requirements for sources with continuous monitoring systems.  |
| § 63.10(f) .....              | Yes .....                 | Waiver of recordkeeping and reporting requirements.  |
| § 63.11 .....                 | Yes .....                 | Control device and equipment leak work practice requirements.  |
| § 63.11(a) and (b) .....      | Yes .....                 | If a new source uses flares to comply with the requirements of subpart VVV, the requirements of § 63.11 apply.   |
| § 63.11(c), (d) and (e) ..... | Yes .....                 | Alternative work practice for equipment leaks.   |
| § 63.12 .....                 | Yes .....                 | STATE AUTHORITY AND DESIGNATION.   |
| § 63.13 .....                 | Yes .....                 | ADDRESSES OF STATE AIR POLLUTION CONTROL AGENCIES AND EPA REGIONAL OFFICES.  |
| § 63.14 .....                 | Yes .....                 | INCORPORATION BY REFERENCE.  |
| § 63.15 .....                 | Yes .....                 | AVAILABILITY OF INFORMATION AND CONFIDENTIALITY.   |

[64 FR 57579, Oct. 26, 1999 as amended at 66 FR 16142, Mar. 23, 2001; 67 FR 64746, Oct. 21, 2002; 73 FR 78215, Dec. 22, 2008]

### Subpart WWW [Reserved]

### Subpart XXX—National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese

SOURCE: 64 FR 27458, May 20, 1999, unless otherwise noted.

#### § 63.1620 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate a new or existing

ferromanganese and/or silicomanganese production facility that is a major source or is co-located at a major source of hazardous air pollutant emissions.

(b) You are subject to this subpart if you own or operate any of the following equipment as part of a ferromanganese and/or silicomanganese production facility:

- (1) Electric arc furnace;
- (2) Casting operations;
- (3) Metal oxygen refining (MOR) process;

(4) Crushing and screening operations;

(5) Outdoor fugitive dust sources.

(c) A new affected source is any of the equipment listed in paragraph (b) of this section for which construction or reconstruction commenced after June 30, 2015.

(d) Table 1 of this subpart specifies the provisions of subpart A of this part that apply to owners and operators of ferromanganese and silicomanganese production facilities subject to this subpart.

(e) If you are subject to the provisions of this subpart, you are also subject to title V permitting requirements under 40 CFR part 70 or 71, as applicable.

(f) Emission standards in this subpart apply at all times.

[80 FR 37390, June 30, 2015]

**§ 63.1621 What are my compliance dates?**

(a) Existing affected sources must be in compliance with the provisions specified in §§ 63.1620 through 63.1629 no later than June 30, 2017.

(b) Affected sources in existence prior to June 30, 2015 must be in compliance with the provisions specified in §§ 63.1650 through 63.1661 by November 21, 2001 and until June 30, 2017. As of June 30, 2017, the provisions of §§ 63.1650 through 63.1661 cease to apply to affected sources in existence prior to June 30, 2015. The provisions of §§ 63.1650 through 63.1661 remain enforceable at a source for its activities prior to June 30, 2017.

(c) If you own or operate a new affected source that commences construction or reconstruction after November 23, 2011, you must comply with the requirements of this subpart by June 30, 2015, or upon startup of operations, whichever is later.

[80 FR 37390, June 30, 2015]

**§ 63.1622 What definitions apply to this subpart?**

Terms in this subpart are defined in the Clean Air Act (Act), in subpart A of this part, or in this section as follows:

*Bag leak detection system* means a system that is capable of continuously monitoring particulate matter (dust)

loadings in the exhaust of a baghouse in order to detect bag leaks and other upset conditions. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other effect to continuously monitor relative particulate matter loadings.

*Capture system* means the collection of components used to capture the gases and fumes released from one or more emissions points and then convey the captured gas stream to a control device or to the atmosphere. A capture system may include, but is not limited to, the following components as applicable to a given capture system design: Duct intake devices, hoods, enclosures, ductwork, dampers, manifolds, plenums, fans and roofline ventilation systems.

*Casting* means the period of time from when molten ferroalloy is removed from the tapping station until the pouring into casting molds or beds is completed. This includes the following operations: Pouring alloy from one ladle to another, slag separation, slag removal and ladle transfer by crane, truck, or other conveyance.

*Crushing and screening equipment* means the crushers, grinders, mills, screens and conveying systems used to crush, size and prepare for packing manganese-containing materials, including raw materials, intermediate products and final products.

*Electric arc furnace* means any furnace where electrical energy is converted to heat energy by transmission of current between electrodes partially submerged in the furnace charge. The furnace may be of an open, semi-sealed, or sealed design.

*Furnace process cycle* means the period in which the furnace is tapped to the time in which the furnace is tapped again and includes periods of charging, smelting, tapping, casting and ladle raking. For multiple furnaces operating within a single shop building, furnace process cycle means a period sufficient to capture a full cycle of charging, smelting, tapping, casting and ladle raking for each furnace within the shop building.

*Ladle treatment* means a post-tapping process including metal and alloy additions where chemistry adjustments are made in the ladle after furnace smelting to achieve a specified product.

*Local ventilation* means hoods, ductwork, and fans designed to capture process fugitive emissions close to the area where the emissions are generated (e.g., tap hoods).

*Metal oxygen refining (MOR) process* means the reduction of the carbon content of ferromanganese through the use of oxygen.

*Outdoor fugitive dust source* means a stationary source from which hazardous air pollutant-bearing particles are discharged to the atmosphere due to wind or mechanical inducement such as vehicle traffic. Fugitive dust sources include plant roadways, yard areas and outdoor material storage and transfer operation areas.

*Plant roadway* means any area at a ferromanganese and silicomanganese production facility that is subject to plant mobile equipment, such as forklifts, front end loaders, or trucks, carrying manganese-bearing materials. Excluded from this definition are employee and visitor parking areas, provided they are not subject to traffic by plant mobile equipment.

*Process fugitive emissions source* means a source of hazardous air pollutant emissions that is associated with a ferromanganese or silicomanganese production facility and is not a fugitive dust source or a stack emissions source. Process fugitive sources include emissions that escape capture from the electric arc furnace, tapping operations, casting operations, ladle treatment, MOR or crushing and screening equipment.

*Roofline ventilation system* means an exhaust system designed to evacuate process fugitive emissions that collect in the roofline area to a control device.

*Shop building* means the building which houses one or more electric arc furnaces or other processes that generate process fugitive emissions.

*Shutdown* means the cessation of operation of an affected source for any purpose.

*Startup* means the setting in operation of an affected source for any purpose.

*Tapping emissions* means the gases and emissions associated with removal of product from the electric arc furnace under normal operating conditions, such as removal of metal under normal pressure and movement by gravity down the spout into the ladle and filling the ladle.

*Tapping period* means the time from when a tap hole is opened until the time a tap hole is closed.

[80 FR 37390, June 30, 2015]

**§ 63.1623 What are the emissions standards for new, reconstructed and existing facilities?**

(a) *Electric arc furnaces.* You must install, operate and maintain an effective capture system that collects the emissions from each electric arc furnace operation and conveys the collected emissions to a control device for the removal of the pollutants specified in the emissions standards specified in paragraphs (a)(1) through (5) of this section.

(1) *Particulate matter emissions.* (i) You must not discharge exhaust gases from each electric arc furnace operation containing particulate matter in excess of 4.0 milligrams per dry standard cubic meter (mg/dscm) into the atmosphere from any new or reconstructed electric arc furnace.

(ii) You must not discharge exhaust gases from each electric arc furnace operation containing particulate matter in excess of 25 mg/dscm into the atmosphere from any existing electric arc furnace.

(2) *Mercury emissions.* (i) You must not discharge exhaust gases from each electric arc furnace operation containing mercury emissions in excess of 13 micrograms per dry standard cubic meter (µg/dscm) into the atmosphere from any new or reconstructed electric arc furnace when producing ferromanganese.

(ii) You must not discharge exhaust gases from each electric arc furnace operation containing mercury emissions in excess of 130 µg/dscm into the atmosphere from any existing electric arc furnace when producing ferromanganese.

(iii) You must not discharge exhaust gases from each electric arc furnace

operation containing mercury emissions in excess of 4 µg/dscm into the atmosphere from any new or reconstructed electric arc furnace when producing silicomanganese.

(iv) You must not discharge exhaust gases from each electric arc furnace operation containing mercury emissions in excess of 12 µg/dscm into the atmosphere from any existing electric arc furnace when producing silicomanganese.

(3) *Polycyclic aromatic hydrocarbon emissions.* (i) You must not discharge exhaust gases from each electric arc furnace operation containing polycyclic aromatic hydrocarbon emissions in excess of 12,000 µg/dscm into the atmosphere from any new or reconstructed electric arc furnace when producing ferromanganese.

(ii) You must not discharge exhaust gases from each electric arc furnace operation containing polycyclic aromatic hydrocarbon emissions in excess of 12,000 µg/dscm into the atmosphere from any existing electric arc furnace when producing ferromanganese.

(iii) You must not discharge exhaust gases from each electric arc furnace operation containing polycyclic aromatic hydrocarbon emissions in excess of 72 µg/dscm into the atmosphere from any new or reconstructed electric arc furnace when producing silicomanganese.

(iv) You must not discharge exhaust gases from each electric arc furnace operation containing polycyclic aromatic hydrocarbon emissions in excess of 130 µg/dscm into the atmosphere from any existing electric arc furnace when producing silicomanganese.

(4) *Hydrochloric acid emissions.* (i) You must not discharge exhaust gases from each electric arc furnace operation containing hydrochloric acid emissions in excess of 180 µg/dscm into the atmosphere from any new or reconstructed electric arc furnace.

(ii) You must not discharge exhaust gases from each electric arc furnace operation containing hydrochloric acid emissions in excess of 1,100 µg/dscm into the atmosphere from any existing electric arc furnace.

(5) *Formaldehyde emissions.* You must not discharge exhaust gases from each electric arc furnace operation con-

taining formaldehyde emissions in excess of 201 µg/dscm into the atmosphere from any new, reconstructed or existing electric arc furnace.

(b) *Process fugitive emissions.* (1) You must install, operate and maintain a capture system that is designed to collect 95 percent or more of the emissions from process fugitive emissions sources and convey the collected emissions to a control device that is demonstrated to meet the applicable emission limit specified in paragraph (a)(1) or (c) of this section.

(2) The determination of the overall capture must be demonstrated as required by § 63.1624(a).

(3) Unless you meet the criteria of paragraph (b)(3)(iii) of this section, you must not cause the emissions exiting from a shop building to exceed an average of 8 percent opacity over a furnace or MOR process cycle.

(i) This 8 percent opacity requirement is determined by averaging the individual opacity readings observed during the furnace or MOR process cycle.

(ii) An individual opacity reading shall be determined as the average of 24 consecutive images recorded at 15-second intervals with the opacity values from each individual digital image rounded to the nearest 5 percent.

(iii) If the average opacity from the shop building is greater than 8 percent opacity during an observed furnace or MOR process cycle, the opacity of two more additional furnace or MOR process cycles must be observed within 7 days and the average of the individual opacity readings during the three observation periods must be less than 8 percent opacity.

(iv) At no time during operation may the average of any two consecutive individual opacity readings be greater than 20 percent opacity.

(c) *Local ventilation emissions.* If you operate local ventilation to capture tapping, casting, or ladle treatment emissions and direct them to a control device other than one associated with the electric arc furnace, you must not discharge into the atmosphere any captured emissions containing particulate matter in excess of 4.0 mg/dscm.

(d) *MOR process.* You must not discharge into the atmosphere from any

new, reconstructed or existing MOR process exhaust gases containing particulate matter in excess of 3.9 mg/dscm.

(e) *Crushing and screening equipment.* You must not discharge into the atmosphere from any new, reconstructed, or existing piece of equipment associated with crushing and screening exhaust gases containing particulate matter in excess of 13 mg/dscm.

(f) At all times, you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records and inspection of the source.

[80 FR 37390, June 30, 2015]

**§ 63.1624 What are the operational and work practice standards for new, reconstructed, and existing facilities?**

(a) *Process fugitive emissions sources.*

(1) You must prepare, and at all times operate according to, a process fugitive emissions ventilation plan that documents the equipment and operations designed to effectively capture process fugitive emissions. The plan will be deemed to achieve effective capture if it consists of the following elements:

(i) Documentation of engineered hoods and secondary fugitive capture systems designed according to the most recent, at the time of construction, ventilation design principles recommended by the American Conference of Governmental Industrial Hygienists (ACGIH). The process fugitive emissions capture systems must be designed to achieve sufficient air changes to evacuate the collection area frequently enough to ensure process fugitive emissions are effectively collected by the ventilation system and ducted to the control device(s). The required ventilation systems should also use properly positioned hooding to take advantage

of the inherent air flows of the source and capture systems that minimize air flows while also intercepting natural air flows or creating air flows to contain the fugitive emissions. Include a schematic for each building indicating duct sizes and locations, hood sizes and locations, control device types, size and locations and exhaust locations. The design plan must identify the key operating parameters and measurement locations to ensure proper operation of the system and establish monitoring parameter values that reflect effective capture.

(ii) List of critical maintenance actions and the schedule to conduct them.

(2) You must submit a copy of the process fugitive emissions ventilation plan to the designated permitting authority on or before the applicable compliance date for the affected source as specified in § 63.1621 in electronic format and whenever an update is made to the plan. The requirement for you to operate the facility according to the written process fugitives ventilation plan and specifications must be incorporated in the operating permit for the facility that is issued by the designated permitting authority under part 70 or 71 of this chapter, as applicable.

(3) You must update the information required in paragraphs (a)(1) and (2) of this section every 5 years or whenever there is a significant change in variables that affect process fugitives ventilation design such as the addition of a new process.

(b) *Outdoor fugitive dust sources.* (1) You must prepare, and at all times operate according to, an outdoor fugitive dust control plan that describes in detail the measures that will be put in place to control outdoor fugitive dust emissions from the individual fugitive dust sources at the facility.

(2) You must submit a copy of the outdoor fugitive dust control plan to the designated permitting authority on or before the applicable compliance date for the affected source as specified in § 63.1621. The requirement for you to operate the facility according to a written outdoor fugitive dust control plan must be incorporated in the operating permit for the facility that is

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issued by the designated permitting authority under part 70 or 71 of this chapter, as applicable.

(3) You may use existing manuals that describe the measures in place to control outdoor fugitive dust sources required as part of a state implementation plan or other federally enforceable requirement for particulate matter to satisfy the requirements of paragraph (b)(1) of this section.

[80 FR 37390, June 30, 2015]

### **§ 63.1625 What are the performance test and compliance requirements for new, reconstructed, and existing facilities?**

(a) *Performance testing.* (1) All performance tests must be conducted according to the requirements in § 63.7.

(2) Each performance test in paragraphs (c)(1) and (2) of this section must consist of three separate and complete runs using the applicable test methods.

(3) Each run must be conducted under conditions that are representative of normal process operations.

(4) Performance tests conducted on air pollution control devices serving electric arc furnaces must be conducted such that at least one tapping period, or at least 20 minutes of a tapping period, whichever is less, is included in at least two of the three runs. The sampling time for each run must be at least three times the average tapping period of the tested furnace, but no less than 60 minutes.

(5) You must conduct the performance tests specified in paragraph (c) of this section under such conditions as the Administrator specifies based on representative performance of the affected source for the period being tested. Upon request, you must make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(b) *Test methods.* The following test methods in appendices of part 60 or 63 of this chapter or as specified elsewhere must be used to determine compliance with the emission standards.

(1) Method 1 of appendix A–1 of 40 CFR part 60 to select the sampling port location and the number of traverse points.

(2) Method 2 of appendix A–1 of 40 CFR part 60 to determine the volumetric flow rate of the stack gas.

(3)(i) Method 3A or 3B of appendix A–2 of 40 CFR part 60 (with integrated bag sampling) to determine the outlet stack and inlet oxygen and CO<sub>2</sub> content.

(ii) You must measure CO<sub>2</sub> concentrations at both the inlet and outlet of the positive pressure fabric filter in conjunction with the pollutant sampling in order to determine isokinetic sampling rates.

(iii) As an alternative to EPA Reference Method 3B, ASME PTC–19–10–1981–Part 10 may be used (incorporated by reference, see § 63.14).

(4) Method 4 of appendix A–3 of 40 CFR part 60 to determine the moisture content of the stack gas.

(5)(i) Method 5 of appendix A–3 of 40 CFR part 60 to determine the particulate matter concentration of the stack gas for negative pressure baghouses and positive pressure baghouses with stacks.

(ii) Method 5D of appendix A–3 of 40 CFR part 60 to determine particulate matter concentration and volumetric flow rate of the stack gas for positive pressure baghouses without stacks.

(iii) The sample volume for each run must be a minimum of 4.0 cubic meters (141.2 cubic feet). For Method 5 testing only, you may choose to collect less than 4.0 cubic meters per run provided that the filterable mass collected (*i.e.*, net filter mass plus mass of nozzle, probe and filter holder rinses) is equal to or greater than 10 mg. If the total mass collected for two of three of the runs is less than 10 mg, you must conduct at least one additional test run that produces at least 10 mg of filterable mass collected (*i.e.*, at a greater sample volume). Report the results of all test runs.

(6) Method 30B of appendix A–8 of 40 CFR part 60 to measure mercury. Apply the minimum sample volume determination procedures as per the method.

(7)(i) Method 26A of appendix A–8 of 40 CFR part 60 to determine outlet stack or inlet hydrochloric acid concentration.

(ii) Collect a minimum volume of 2 cubic meters.

(8)(i) Method 316 of appendix A of this part to determine outlet stack or inlet formaldehyde.

(ii) Collect a minimum volume of 1.0 cubic meter.

(9) ASTM D7520-13 to determine opacity (incorporated by reference, see § 63.14) with the following conditions:

(i) During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520-13, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees and mixed backgrounds (clouds and/or a sparse tree stand).

(ii) You must have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520-13.

(iii) You must follow the record-keeping procedures outlined in § 63.10(b)(1) for the DCOT certification, compliance report, data sheets and all raw unaltered JPEGs used for opacity and certification determination.

(iv) You or the DCOT vendor must have a minimum of four (4) independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 20 percent opacity for any one reading and the average error must not exceed 7.5 percent opacity.

(v) Use of this method does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software and operator in accordance with ASTM D7520-13 and these requirements is on the facility, DCOT operator and DCOT vendor.

(10) California Air Resources Board (CARB) Method 429 (incorporated by reference, see § 63.14).

(11) The owner or operator may use alternative measurement methods approved by the Administrator following the procedures described in § 63.7(f).

(c) *Compliance demonstration with the emission standards*—(1) *Initial performance test*. You must conduct an initial performance test for air pollution con-

trol devices or vent stacks subject to § 63.1623(a), (b)(1), and (c) through (e) to demonstrate compliance with the applicable emission standards.

(2) *Periodic performance test*. (i) You must conduct annual particulate matter tests for wet scrubber air pollution control devices subject to § 63.1623(a)(1) to demonstrate compliance with the applicable emission standards.

(ii) You must conduct particulate matter tests every 5 years for fabric filter air pollution control devices subject to § 63.1623(a)(1) to demonstrate compliance with the applicable emission standards.

(iii) You must conduct annual mercury performance tests for wet scrubber and fabric filter air pollution control devices or vent stacks subject to § 63.1623(a)(2) to demonstrate compliance with the applicable emission standards.

(iv) You must conduct PAH performance tests for wet scrubber and fabric filter air pollution control devices or vent stacks subject to § 63.1623(a)(3) to demonstrate compliance with the applicable emission standards.

(A) For furnaces producing silicomanganese, you must conduct a PAH performance test every 5 years for each furnace that produces silicomanganese subject to § 63.1623(a)(3).

(B) For furnaces producing ferromanganese, you must conduct a PAH performance test every 3 months or 2,190 cumulative hours of ferromanganese production for each furnace subject to § 63.1623(a)(3).

(C) If a furnace producing ferromanganese demonstrates compliance with four consecutive PAH tests, the owner/operator may petition the permitting authority to request reduced frequency of testing to demonstrate compliance with the PAH emission standards. However, this PAH compliance testing cannot be reduced to less than once per year.

(v) You must conduct ongoing performance tests every 5 years for air pollution control devices or vent stacks subject to § 63.1623(a)(4), (a)(5), (b)(1), and (c) through (e) to demonstrate compliance with the applicable emission standards.

(3) Compliance is demonstrated for all sources performing emissions tests if the average concentration for the three runs comprising the performance test does not exceed the standard.

(4) *Operating limits.* You must establish parameter operating limits according to paragraphs (c)(4)(i) through (iv) of this section. Unless otherwise specified, compliance with each established operating limit shall be demonstrated for each 24-hour operating day.

(i) For a wet particulate matter scrubber, you must establish the minimum liquid flow rate and pressure drop as your operating limits during the three-run performance test. If you use a wet particulate matter scrubber and you conduct separate performance tests for particulate matter, you must establish one set of minimum liquid flow rate and pressure drop operating limits. If you conduct multiple performance tests, you must set the minimum liquid flow rate and pressure drop operating limits at the highest minimum hourly average values established during the performance tests.

(ii) For a wet acid gas scrubber, you must establish the minimum liquid flow rate and pH, as your operating limits during the three-run performance test. If you use a wet acid gas scrubber and you conduct separate performance tests for hydrochloric acid, you must establish one set of minimum liquid flow rate and pH operating limits. If you conduct multiple performance tests, you must set the minimum liquid flow rate and pH operating limits at the highest minimum hourly average values established during the performance tests.

(iii) For emission sources with fabric filters that choose to demonstrate continuous compliance through bag leak detection systems you must install a bag leak detection system according to the requirements in § 63.1626(d) and you must set your operating limit such that the sum duration of bag leak detection system alarms does not exceed 5 percent of the process operating time during a 6-month period.

(iv) If you choose to demonstrate continuous compliance through a particulate matter CEMS, you must determine an operating limit (particulate matter concentration in mg/dscm) dur-

ing performance testing for initial particulate matter compliance. The operating limit will be the average of the PM filterable results of the three Method 5 or Method 5D of appendix A–3 of 40 CFR part 60 performance test runs. To determine continuous compliance, the hourly average PM concentrations will be averaged on a rolling 30 operating day basis. Each 30 operating day average will have to meet the PM operating limit.

(d) *Compliance demonstration with shop building opacity standards.* (1)(i) If you are subject to § 63.1623(b), you must conduct opacity observations of the shop building to demonstrate compliance with the applicable opacity standards according to § 63.6(h)(5), which addresses conducting opacity or visible emission observations.

(ii) You must conduct the opacity observations according to ASTM D7520–13 (incorporated by reference, see § 63.14), for a period that includes at least one complete furnace process cycle for each furnace.

(iii) For a shop building that contains more than one furnace, you must conduct the opacity observations according to ASTM D7520–13, for a period that includes one tapping period from each furnace located in the shop building.

(iv) You must conduct the opacity observations according to ASTM D7520–13, for a one hour period that includes at least one pouring for each MOR located in the shop building.

(v) You must conduct the opacity observations at least once per week for each shop building containing one or more furnaces or MOR.

(vi) You may reduce the frequency of observations to once per month for each shop building that demonstrates compliance with the weekly 8-percent opacity limit for 26 consecutive complete observations that span a period of at least 26 weeks. Any monthly observation in excess of 8-percent opacity will return that shop building opacity observation to a weekly compliance schedule. You may reduce the frequency of observations again to once per month for each shop building that demonstrates compliance with the weekly 8-percent opacity limit after



another 26 consecutive complete observations that span a period of at least 26 weeks.

(2) You must determine shop building opacity operating parameters based on either monitoring data collected during the compliance demonstration or established in an engineering assessment.

(i) If you choose to establish parameters based on the initial compliance demonstration, you must simultaneously monitor parameter values for one of the following: The capture system fan motor amperes and all capture system damper positions, the total volumetric flow rate to the air pollution control device and all capture system damper positions, or volumetric flow rate through each separately ducted hood that comprises the capture system. Subsequently you must monitor these parameters according to § 63.1626(g) and ensure they remain within 10 percent of the value recorded during the compliant opacity readings.

(ii) If you choose to establish parameters based on an engineering assessment, then a design analysis shall include, for example, specifications, drawings, schematics and ventilation system diagrams prepared by the owner or operator or capture or control system manufacturer or vendor that describes the shop building opacity system ventilation design based on acceptable engineering texts. The design analysis shall address vent stream characteristics and ventilation system design operating parameters such as fan amps, damper position, flow rate and/or other specified parameters.

(iii) You may petition the Administrator to reestablish these parameter ranges whenever you can demonstrate to the Administrator's satisfaction that the electric arc furnace or MOR operating conditions upon which the parameter ranges were previously established are no longer applicable. The values of these parameter ranges determined during the most recent demonstration of compliance must be maintained at the appropriate level for each applicable period.

(3) You will demonstrate continuing compliance with the opacity standards by following the monitoring requirements specified in § 63.1626(g) and the

reporting and recordkeeping requirements specified in § 63.1628(b)(5).

(e) *Compliance demonstration with the operational and work practice standards*—(1) *Process fugitive emissions sources*. You will demonstrate compliance by developing and maintaining a process fugitives ventilation plan, by reporting any deviations from the plan and by taking necessary corrective actions to correct deviations or deficiencies.

(2) *Outdoor fugitive dust sources*. You will demonstrate compliance by developing and maintaining an outdoor fugitive dust control plan, by reporting any deviations from the plan and by taking necessary corrective actions to correct deviations or deficiencies.

(3) *Baghouses equipped with bag leak detection systems*. You will demonstrate compliance with the bag leak detection system requirements by developing an analysis and supporting documentation demonstrating conformance with EPA guidance and specifications for bag leak detection systems in § 60.57c(h) of this chapter.

[80 FR 37390, June 30, 2015]

#### **§ 63.1626 What monitoring requirements must I meet?**

(a) *Baghouse monitoring*. You must prepare, and at all times operate according to, a standard operating procedures manual that describes in detail procedures for inspection, maintenance and bag leak detection and corrective action plans for all baghouses (fabric filters or cartridge filters) that are used to control process vents, process fugitive, or outdoor fugitive dust emissions from any source subject to the emissions standards in § 63.1623.

(b) You must submit the standard operating procedures manual for baghouses required by paragraph (a) of this section to the Administrator or delegated authority for review and approval.

(c) Unless the baghouse is equipped with a bag leak detection system or CEMS, the procedures that you specify in the standard operating procedures manual for inspections and routine maintenance must, at a minimum, include the requirements of paragraphs (c)(1) and (2) of this section.

(1) You must observe the baghouse outlet on a daily basis for the presence of any visible emissions.

(2) In addition to the daily visible emissions observation, you must conduct the following activities:

(i) Weekly confirmation that dust is being removed from hoppers through visual inspection, or equivalent means of ensuring the proper functioning of removal mechanisms.

(ii) Daily check of compressed air supply for pulse-jet baghouses.

(iii) An appropriate methodology for monitoring cleaning cycles to ensure proper operation.

(iv) Monthly check of bag cleaning mechanisms for proper functioning through visual inspection or equivalent means.

(v) Quarterly visual check of bag tension on reverse air and shaker-type baghouses to ensure that the bags are not kinked (knead or bent) or lying on their sides. Such checks are not required for shaker-type baghouses using self-tensioning (spring loaded) devices.

(vi) Quarterly confirmation of the physical integrity of the baghouse structure through visual inspection of the baghouse interior for air leaks.

(vii) Semiannual inspection of fans for wear, material buildup and corrosion through visual inspection, vibration detectors, or equivalent means.

(d) *Bag leak detection system.* (1) For each baghouse used to control emissions from an electric arc furnace, you must install, operate and maintain a bag leak detection system according to paragraphs (d)(2) through (4) of this section, unless a system meeting the requirements of paragraph (o) of this section, for a CEMS and continuous emissions rate monitoring system, is installed for monitoring the concentration of particulate matter. You may choose to install, operate and maintain a bag leak detection system for any other baghouse in operation at the facility according to paragraphs (d)(2) through (4) of this section.

(2) The procedures you specified in the standard operating procedures manual for baghouse maintenance must include, at a minimum, a preventative maintenance schedule that is consistent with the baghouse manufac-

turer's instructions for routine and long-term maintenance.

(3) Each bag leak detection system must meet the specifications and requirements in paragraphs (d)(3)(i) through (viii) of this section.

(i) The bag leak detection system must be certified by the manufacturer to be capable of detecting PM emissions at concentrations of 1.0 milligram per dry standard cubic meter (0.00044 grains per actual cubic foot) or less.

(ii) The bag leak detection system sensor must provide output of relative PM loadings.

(iii) The bag leak detection system must be equipped with an alarm system that will alarm when an increase in relative particulate loadings is detected over a preset level.

(iv) You must install and operate the bag leak detection system in a manner consistent with the guidance provided in "Office of Air Quality Planning and Standards (OAQPS) Fabric Filter Bag Leak Detection Guidance" EPA-454/R-98-015, September 1997 (incorporated by reference, see § 63.14) and the manufacturer's written specifications and recommendations for installation, operation and adjustment of the system.

(v) The initial adjustment of the system must, at a minimum, consist of establishing the baseline output by adjusting the sensitivity (range) and the averaging period of the device and establishing the alarm set points and the alarm delay time.

(vi) Following initial adjustment, you must not adjust the sensitivity or range, averaging period, alarm set points, or alarm delay time, except as detailed in the approved standard operating procedures manual required under paragraph (a) of this section. You cannot increase the sensitivity by more than 100 percent or decrease the sensitivity by more than 50 percent over a 365-day period unless such adjustment follows a complete baghouse inspection that demonstrates that the baghouse is in good operating condition.

(vii) You must install the bag leak detector downstream of the baghouse.

(viii) Where multiple detectors are required, the system's instrumentation

and alarm may be shared among detectors.

(4) You must include in the standard operating procedures manual required by paragraph (a) of this section a corrective action plan that specifies the procedures to be followed in the case of a bag leak detection system alarm. The corrective action plan must include, at a minimum, the procedures that you will use to determine and record the time and cause of the alarm as well as the corrective actions taken to minimize emissions as specified in paragraphs (d)(4)(i) and (ii) of this section.

(i) The procedures used to determine the cause of the alarm must be initiated within 30 minutes of the alarm.

(ii) The cause of the alarm must be alleviated by taking the necessary corrective action(s) that may include, but not be limited to, those listed in paragraphs (d)(4)(ii)(A) through (F) of this section.

(A) Inspecting the baghouse for air leaks, torn or broken filter elements, or any other malfunction that may cause an increase in emissions.

(B) Sealing off defective bags or filter media.

(C) Replacing defective bags or filter media, or otherwise repairing the control device.

(D) Sealing off a defective baghouse compartment.

(E) Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.

(F) Shutting down the process producing the particulate emissions.

(e) If you use a wet particulate matter scrubber, you must collect the pressure drop and liquid flow rate monitoring system data according to § 63.1628, reduce the data to 24-hour block averages and maintain the 24-hour average pressure drop and liquid flow-rate at or above the operating limits established during the performance test according to § 63.1625(c)(4)(i).

(f) If you use curtains or partitions to prevent process fugitive emissions from escaping the area around the process fugitive emission source or other parts of the building, you must perform quarterly inspections of the physical condition of these curtains or partitions to determine if there are any tears or openings.

(g) *Shop building opacity.* In order to demonstrate continuous compliance with the opacity standards in § 63.1623, you must comply with the requirements § 63.1625(d)(1) and one of the monitoring options in paragraphs (g)(1) or (2) of this section. The selected option must be consistent with that selected during the initial performance test described in § 63.1625(d)(2). Alternatively, you may use the provisions of § 63.8(f) to request approval to use an alternative monitoring method.

(1) If you choose to establish operating parameters during the compliance test as specified in § 63.1625(d)(2)(i), you must meet one of the following requirements.

(i) Check and record the control system fan motor amperes and capture system damper positions once per shift.

(ii) Install, calibrate and maintain a monitoring device that continuously records the volumetric flow rate through each separately ducted hood.

(iii) Install, calibrate and maintain a monitoring device that continuously records the volumetric flow rate at the inlet of the air pollution control device and check and record the capture system damper positions once per shift.

(2) If you choose to establish operating parameters during the compliance test as specified in § 63.1625(d)(2)(ii), you must monitor the selected parameter(s) on a frequency specified in the assessment and according to a method specified in the engineering assessment.

(3) All flow rate monitoring devices must meet the following requirements:

(i) Be installed in an appropriate location in the exhaust duct such that reproducible flow rate monitoring will result.

(ii) Have an accuracy  $\pm 10$  percent over its normal operating range and be calibrated according to the manufacturer's instructions.

(4) The Administrator may require you to demonstrate the accuracy of the monitoring device(s) relative to Methods 1 and 2 of appendix A-1 of part 60 of this chapter.

(5) Failure to maintain the appropriate capture system parameters (e.g., fan motor amperes, flow rate and/or damper positions) establishes the need to initiate corrective action as soon as

practicable after the monitoring excursion in order to minimize excess emissions.

(h) *Furnace capture system.* You must perform quarterly (once every three months) inspections of the furnace fugitive capture system equipment to ensure that the hood locations have not been changed or obstructed because of contact with cranes or ladles, quarterly inspections of the physical condition of hoods and ductwork to the control device to determine if there are any openings or leaks in the ductwork, quarterly inspections of the hoods and ductwork to determine if there are any flow constrictions in ductwork due to dents or accumulated dust and quarterly examinations of the operational status of flow rate controllers (pressure sensors, dampers, damper switches, etc.) to ensure they are operating correctly. Any deficiencies must be recorded and proper maintenance and repairs performed.

(i) *Requirements for sources using CMS.* If you demonstrate compliance with any applicable emissions limit through use of a continuous monitoring system (CMS), where a CMS includes a continuous parameter monitoring system (CPMS) as well as a continuous emissions monitoring system (CEMS), you must develop a site-specific monitoring plan and submit this site-specific monitoring plan, if requested, at least 60 days before your initial performance evaluation (where applicable) of your CMS. Your site-specific monitoring plan must address the monitoring system design, data collection and the quality assurance and quality control elements outlined in this paragraph and in § 63.8(d). You must install, operate and maintain each CMS according to the procedures in your approved site-specific monitoring plan. Using the process described in § 63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (i)(1) through (6) of this section in your site-specific monitoring plan.

(1) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer and data acquisition and calculations;

(2) Sampling interface location such that the monitoring system will provide representative measurements;

(3) Equipment performance checks, system accuracy audits, or other audit procedures;

(4) Ongoing operation and maintenance procedures in accordance with the general requirements of § 63.8(c)(1) and (3);

(5) Conditions that define a continuous monitoring system that is out of control consistent with § 63.8(c)(7)(i) and for responding to out of control periods consistent with § 63.8(c)(7)(ii) and (c)(8) or Table 1 to this subpart, as applicable; and

(6) Ongoing recordkeeping and reporting procedures in accordance with provisions in § 63.10(c), (e)(1) and (e)(2)(i), and Table 1 to this subpart, as applicable.

(j) If you have an operating limit that requires the use of a CPMS, you must install, operate and maintain each continuous parameter monitoring system according to the procedures in paragraphs (j)(1) through (7) of this section.

(1) The CPMS must complete a minimum of one cycle of operation for each successive 15-minute period. You must have a minimum of four successive cycles of operation to have a valid hour of data.

(2) Except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities (including, as applicable, system accuracy audits and required zero and span adjustments), you must operate the CMS at all times the affected source is operating. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.

(3) You may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities in calculations used to report emissions or operating levels. You must use all the data collected during all other required data collection periods in assessing the operation of the control device and associated control system.

(4) Except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required quality monitoring system quality assurance or quality control activities (including, as applicable, system accuracy audits and required zero and span adjustments), failure to collect required data is a deviation of the monitoring requirements.

(5) You must conduct other CPMS equipment performance checks, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least once every 12 months.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

(7) You must record the results of each inspection, calibration and validation check.

(k) *CPMS for measuring gaseous flow.*

(1) Use a flow sensor with a measurement sensitivity of 5 percent of the flow rate or 10 cubic feet per minute, whichever is greater;

(2) Check all mechanical connections for leakage at least every month; and

(3) Perform a visual inspection at least every 3 months of all components of the flow CPMS for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion if your flow CPMS is not equipped with a redundant flow sensor.

(l) *CPMS for measuring liquid flow.* (1) Use a flow sensor with a measurement sensitivity of 2 percent of the liquid flow rate; and

(2) Reduce swirling flow or abnormal velocity distributions due to upstream and downstream disturbances.

(m) *CPMS for measuring pressure.* (1) Minimize or eliminate pulsating pres-

sure, vibration and internal and external corrosion; and

(2) Use a gauge with a minimum tolerance of 1.27 centimeters of water or a transducer with a minimum tolerance of 1 percent of the pressure range.

(3) Perform checks at least once each process operating day to ensure pressure measurements are not obstructed (e.g., check for pressure tap pluggage daily).

(n) *CPMS for measuring pH.* (1) Ensure the sample is properly mixed and representative of the fluid to be measured.

(2) Check the pH meter's calibration on at least two points every eight hours of process operation.

(o) *Particulate Matter CEMS.* If you are using a CEMS to measure particulate matter emissions to meet requirements of this subpart, you must install, certify, operate and maintain the particulate matter CEMS as specified in paragraphs (o)(1) through (4) of this section.

(1) You must conduct a performance evaluation of the PM CEMS according to the applicable requirements of § 60.13 of this chapter and Performance Specification 11 at 40 CFR part 60, appendix B.

(2) During each PM correlation testing run of the CEMS required by Performance Specification 11 at 40 CFR part 60, appendix B, PM and oxygen (or carbon dioxide) collect data concurrently (or within a 30- to 60-minute period) by both the CEMS and by conducting performance tests using Method 5 or 5D at 40 CFR part 60, appendix A-3 or Method 17 at 40 CFR part 60, appendix A-6.

(3) Perform quarterly accuracy determinations and daily calibration drift tests in accordance with Procedure 2 at 40 CFR part 60, appendix F. Relative Response Audits must be performed annually and Response Correlation Audits must be performed every 3 years.

(4) Within 60 days after the date of completing each CEMS relative accuracy test audit or performance test conducted to demonstrate compliance with this subpart, you must submit the relative accuracy test audit data and the results of the performance test as specified in § 63.1628(e).

[80 FR 37390, June 30, 2015]

**§ 63.1627 What notification requirements must I meet?**

(a) You must comply with all of the notification requirements of § 63.9. Electronic notifications are encouraged when possible.

(b)(1) You must submit the process fugitive ventilation plan required under § 63.1624(a), the outdoor fugitive dust control plan required under § 63.1624(b), the site-specific monitoring plan for CMS required under § 63.1626(i) and the standard operating procedures manual for baghouses required under § 63.1626(a) to the Administrator or delegated authority. You must submit this notification no later than June 30, 2016. For sources that commenced construction or reconstruction after June 30, 2015, you must submit this notification no later than 180 days before start-up of the constructed or reconstructed ferromanganese or silicomanganese production facility. For an affected source that has received a construction permit from the Administrator or delegated authority on or before June 30, 2015, you must submit this notification no later than June 30, 2016.

(2) The plans and procedures documents submitted as required under paragraph (b)(1) of this section must be submitted to the Administrator in electronic format and whenever an update is made to the procedure.

[80 FR 37390, June 30, 2015]

**§ 63.1628 What recordkeeping and reporting requirements must I meet?**

(a) You must comply with all of the recordkeeping and reporting requirements specified in § 63.10 of the General Provisions that are referenced in Table 1 to this subpart.

(1) Records must be maintained in a form suitable and readily available for expeditious review, according to § 63.10(b)(1). However, electronic recordkeeping and reporting is encouraged and required for some records and reports.

(2) Records must be kept on site for at least 2 years after the date of occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

(b) You must maintain, for a period of 5 years, records of the information

listed in paragraphs (b)(1) through (11) of this section.

(1) Electronic records of the bag leak detection system output.

(2) An identification of the date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the corrective actions taken and the date and time the cause of the alarm was corrected.

(3) All records of inspections and maintenance activities required under § 63.1626(c) as part of the practices described in the standard operating procedures manual for baghouses required under § 63.1626(a).

(4) Electronic records of the pressure drop and water flow rate values for wet scrubbers used to control particulate matter emissions as required in § 63.1626(e), identification of periods when the 1-hour average pressure drop and water flow rate values are below the established minimum operating limits and an explanation of the corrective actions taken.

(5) Electronic records of the shop building capture system monitoring required under § 63.1626(g)(1) and (2), as applicable, or identification of periods when the capture system parameters were not maintained and an explanation of the corrective actions taken.

(6) Records of the results of quarterly inspections of the furnace capture system required under § 63.1626(h).

(7) Electronic records of the continuous flow monitors or pressure monitors required under § 63.1626(i) and (j) and an identification of periods when the flow rate or pressure was not maintained as required in § 63.1626(e).

(8) Electronic records of the output of any CEMS installed to monitor particulate matter emissions meeting the requirements of § 63.1626(i).

(9) Records of the occurrence and duration of each startup and/or shutdown.

(10) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control equipment and monitoring equipment.

(11) Records that explain the periods when the procedures outlined in the process fugitives ventilation plan required under § 63.1624(a), the fugitives

dust control plan required under § 63.1624(b), the site-specific monitoring plan for CMS required under § 63.1626(i) and the standard operating procedures manual for baghouses required under § 63.1626(a).

(c) You must comply with all of the reporting requirements specified in § 63.10 of the General Provisions that are referenced in Table 1 to this subpart.

(1) You must submit reports no less frequently than specified under § 63.10(e)(3) of the General Provisions.

(2) Once a source reports a violation of the standard or excess emissions, you must follow the reporting format required under § 63.10(e)(3) until a request to reduce reporting frequency is approved by the Administrator.

(d) In addition to the information required under the applicable sections of § 63.10, you must include in the reports required under paragraph (c) of this section the information specified in paragraphs (d)(1) through (7) of this section.

(1) Reports that identify and explain the periods when the procedures outlined in the process fugitives ventilation plan required under § 63.1624(a), the fugitives dust control plan required under § 63.1624(b), the site-specific monitoring plan for CMS required under § 63.1626(i) and the standard operating procedures manual for baghouses required under § 63.1626(a) were not followed.

(2) Reports that identify the periods when the average hourly pressure drop or flow rate of wet scrubbers used to control particulate emissions dropped below the levels established in § 63.1626(e) and an explanation of the corrective actions taken.

(3) *Bag leak detection system.* Reports including the following information:

(i) Records of all alarms.

(ii) Description of the actions taken following each bag leak detection system alarm.

(4) Reports of the shop building capture system monitoring required under § 63.1626(g)(1) and (2), as applicable, identification of periods when the capture system parameters were not maintained and an explanation of the corrective actions taken.

(5) Reports of the results of quarterly inspections of the furnace capture system required under § 63.1626(h).

(6) Reports of the CPMS required under § 63.1626, an identification of periods when the monitored parameters were not maintained as required in § 63.1626 and corrective actions taken.

(7) If a malfunction occurred during the reporting period, the report must include the number, duration and a brief description for each type of malfunction that occurred during the reporting period and caused or may have caused any applicable emissions limitation to be exceeded. The report must also include a description of actions taken by the owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.1623(f), including actions taken to correct a malfunction.

(e) Within 60 days after the date of completing each CEMS relative accuracy test audit or performance test conducted to demonstrate compliance with this subpart, you must submit the relative accuracy test audit data and the results of the performance test in the method specified by paragraphs (e)(1) and (2) of this section. The results of the performance test must contain the information listed in paragraph (e)(2) of this section.

(1)(i) Within 60 days after the date of completing each performance test (as defined in § 63.2) required by this subpart, you must submit the results of the performance tests, including any associated fuel analyses, following the procedure specified in either paragraph (e)(1)(i)(A) or (B) of this section.

(A) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<http://www.epa.gov/ttn/chief/ert/index.html>), you must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). CEDRI can be accessed through the EPA's Central Data Exchange (CDX) ([http://cdx.epa.gov/epa\\_home.asp](http://cdx.epa.gov/epa_home.asp)). Performance test data must be submitted in a file format generated through the use of the EPA's ERT. Alternatively, you may submit performance test data in an electronic file format consistent

with the extensible markup language (XML) schema listed on the EPA's ERT Web site once the XML schema is available. If you claim that some of the performance test information being submitted is confidential business information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disk, flash drive, or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph (e)(1)(i)(A).

(B) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site, you must submit the results of the performance test to the Administrator at the appropriate address listed in § 63.13.

(ii) Within 60 days after the date of completing each CEMS performance evaluation (as defined in § 63.2), you must submit the results of the performance evaluation following the procedure specified in either paragraph (b)(1) or (2) of this section.

(A) For performance evaluations of continuous monitoring systems measuring relative accuracy test audit (RATA) pollutants that are supported by the EPA's ERT as listed on the EPA's ERT Web site, you must submit the results of the performance evaluation to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX.) Performance evaluation data must be submitted in a file format generated through the use of the EPA's ERT. Alternatively, you may submit performance evaluation data in an electronic file format consistent with the XML schema listed on the EPA's ERT Web site, once the XML schema is available. If you claim that some of the performance evaluation information being transmitted is CBI, you must

submit a complete file generated through the use of the EPA's ERT or an alternative electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disk, flash drive or other commonly used electronic storage media to the EPA. The electronic storage media must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT file or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph (e)(1)(ii)(A).

(B) For any performance evaluations of continuous monitoring systems measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT Web site, you must submit the results of the performance evaluation to the Administrator at the appropriate address listed in § 63.13.

(2) The results of a performance test shall include the purpose of the test; a brief process description; a complete unit description, including a description of feed streams and control devices; sampling site description; pollutants measured; description of sampling and analysis procedures and any modifications to standard procedures; quality assurance procedures; record of operating conditions, including operating parameters for which limits are being set, during the test; record of preparation of standards; record of calibrations; raw data sheets for field sampling; raw data sheets for field and laboratory analyses; chain-of-custody documentation; explanation of laboratory data qualifiers; example calculations of all applicable stack gas parameters, emission rates, percent reduction rates and analytical results, as applicable; and any other information required by the test method, a relevant standard, or the Administrator.

[80 FR 37390, June 30, 2015]



## Environmental Protection Agency

## § 63.1651

### § 63.1629 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable state, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a state, local, or tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a state, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a state, local, or tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the state, local, or tribal agency.

(c) The authorities that cannot be delegated to state, local, or tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to requirements in §§ 63.1620 and 63.1621 and 63.1623 and 63.1624.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90 and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90 and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90 and as required in this subpart.

[80 FR 37390, June 30, 2015]

### §§ 63.1630–63.1649 [Reserved]

### § 63.1650 Applicability and compliance dates.

(a) This subpart applies to all new and existing ferromanganese and silicomanganese production facilities that manufacture ferromanganese or silicomanganese and are major sources or are co-located at major sources of hazardous air pollutant emissions.

(b) The following sources at a ferromanganese and silicomanganese production facility are subject to this subpart:

(1) Open submerged arc furnaces with a furnace power input of 22 MW or less when producing ferromanganese.

(2) Open submerged arc furnaces with a furnace power input greater than 22 MW when producing ferromanganese.

(3) Open submerged arc furnaces with a furnace power input greater than 25 MW when producing silicomanganese.

(4) Open submerged arc furnaces with a furnace power input of 25 MW or less when producing silicomanganese.

(5) Semi-sealed submerged arc furnaces when producing ferromanganese.

(6) Metal oxygen refining (MOR) process.

(7) Crushing and screening operations.

(8) Fugitive dust sources.

(c) A new affected source is one for which construction or reconstruction commenced after August 4, 1998.

(d) Table 1 to this subpart specifies the provisions of subpart A of this part that apply to owners and operators of ferroalloy production facilities subject to this subpart.

(e) *Compliance dates.* (1) [Reserved]

(2) Each owner or operator of a new or reconstructed affected source that commences construction or reconstruction after August 4, 1998 and before November 23, 2011, must comply with the requirements of this subpart by May 20, 1999 or upon startup of operations, whichever is later.

[64 FR 27458, May 20, 1999, as amended at 66 FR 16012, Mar. 22, 2001; 80 FR 37399, June 30, 2015]

### § 63.1651 Definitions.

Terms in this subpart are defined in the Clean Air Act (Act), in subpart A of this part, or in this section as follows:

*Bag leak detection system* means a system that is capable of continuously monitoring particulate matter (dust) loadings in the exhaust of a baghouse in order to detect bag leaks and other upset conditions. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other effect to continuously monitor relative particulate matter loadings.

*Capture system* means the equipment (including hoods, ducts, fans, dampers,

etc.) used to capture or transport particulate matter generated by an affected submerged arc furnace.

*Casting*  means the period of time from when molten ferroalloy falls from the furnace tapping runner into the ladle until pouring into molds is completed. This includes the following operations: ladle filling, pouring alloy from one ladle to another, slag separation, slag removal, and ladle transfer by crane, truck, or other conveyance.

*Crushing and screening equipment*  means the crushers, grinders, mills, screens and conveying systems used to crush, size, and prepare for packing manganese-containing materials, including raw materials, intermediate products, and final products.

*Fugitive dust source*  means a stationary source from which manganese-bearing particles are discharged to the atmosphere due to wind or mechanical inducement such as vehicle traffic. Fugitive dust sources include plant roadways, yard areas, and outdoor material storage and transfer operations.

*Furnace power input*  means the resistive electrical power consumption of a submerged arc furnace, expressed as megawatts (MW).

*Malfunction*  means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures caused in part by poor maintenance or careless operation are not malfunctions.

*Metal oxygen refining (MOR) process*  means the reduction of the carbon content of ferromanganese through the use of oxygen.

*Open submerged arc furnace*  means an electric submerged arc furnace that is equipped with a canopy hood above the furnace to collect primary emissions.

*Operating time*  means the period of time in hours that the affected source is in operation beginning at a startup and ending at the next shutdown.

*Plant roadway*  means any area at a ferromanganese and silicomanganese production facility that is subject to plant mobile equipment, such as fork lifts, front end loaders, or trucks, car-

rying manganese-bearing materials. Excluded from this definition are employee and visitor parking areas, provided they are not subject to traffic by plant mobile equipment.

*Primary emissions*  means gases and emissions collected by hoods and ductwork located above an open furnace or under the cover of a semi-closed or sealed furnace.

*Sealed submerged arc furnace*  means an electric submerged arc furnace equipped with a total enclosure or cover from which primary emissions are evacuated directly.

*Semi-closed submerged arc furnace*  means an electric submerged arc furnace equipped with a partially sealed cover over the furnace. This cover is equipped with openings to allow penetration of the electrodes into the furnace. Mix is introduced into the furnace around the electrode holes forming a partial seal between the electrodes and the cover. Furnace emissions generated under the cover are ducted to an emission control device. Emissions that escape the cover are collected and vented through stacks directly to the atmosphere.

*Shop*  means the building which houses one or more submerged arc furnaces.

*Shutdown*  means the cessation of operation of an affected source for any purpose.

*Startup*  means the setting in operation of an affected source for any purpose.

*Submerged arc furnace*  means any furnace wherein electrical energy is converted to heat energy by transmission of current between electrodes partially submerged in the furnace charge. The furnace may be of an open, semi-sealed, or sealed design.

*Tapping emissions*  means a source of air pollutant emissions that occur during the process of removing the molten product from the furnace.

*Tapping period*  means the time from when a tap hole is opened until the time a tap hole is closed.

[64 FR 27458, May 20, 1999, as amended at 71 FR 20462, Apr. 20, 2006]

#### § 63.1652 Emission standards.

(a) *New and reconstructed submerged arc furnaces.* No owner or operator shall

cause to be discharged into the atmosphere from any new or reconstructed submerged arc furnace exhaust gases (including primary and tapping) containing particulate matter in excess of one of the following:

(1) 0.23 kilograms per hour per megawatt (kg/hr/MW) (0.51 pounds per hour per megawatt [lb/hr/MW]), or

(2) 35 milligrams per dry standard cubic meter (mg/dscm) (0.015 grains per dry standard cubic foot [gr/dscf]).

(b) *Existing open submerged arc furnaces.* No owner or operator shall cause to be discharged into the atmosphere from any existing open submerged arc furnace exhaust gases (including primary and tapping) containing particulate matter in excess of one of the following:

(1) 9.8 kilograms per hour (kg/hr) (21.7 pounds per hour (lb/hr)) when producing ferromanganese in an open furnace operating at a furnace power input of 22 MW or less; or

(2) 13.5 kg/hr (29.8 lb/hr) when producing ferromanganese in an open furnace operating at a furnace power input greater than 22 MW; or

(3) 16.3 kg/hr (35.9 lb/hr) when producing silicomanganese in an open furnace operating at a furnace power input greater than 25 MW; or

(4) 12.3 kg/hr (27.2 lb/hr) when producing silicomanganese in an open furnace operating at a furnace power input of 25 MW or less.

(c) *Existing semi-sealed submerged arc furnaces.* No owner or operator shall cause to be discharged into the atmosphere from any existing semi-sealed submerged arc furnace exhaust gases (including primary, tapping, and vent stacks) containing particulate matter in excess of 11.2 kg/hr (24.7 lb/hr) when producing ferromanganese.

(d) *MOR process.* No owner or operator shall cause to be discharged into the atmosphere from any new, reconstructed, or existing MOR process exhaust gases containing particulate matter in excess of 69 mg/dscm (0.03 gr/dscf).

(e) *Crushing and screening equipment—*

(1) *New and reconstructed equipment.* No owner or operator shall cause to be discharged into the atmosphere from any new or reconstructed piece of equipment associated with crushing and

screening exhaust gases containing particulate matter in excess of 50 mg/dscm (0.022 gr/dscf).

(2) *Existing equipment.* No owner or operator shall cause to be discharged into the atmosphere from any existing piece of equipment associated with crushing and screening exhaust gases containing particulate matter in excess of 69 (mg/dscm) (0.03 gr/dscf).

(f) At all times, you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records and inspection of the source.

[64 FR 27458, May 20, 1999, as amended at 66 FR 16013, Mar. 22, 2001; 80 FR 37399, June 30, 2015]

#### § 63.1653 Opacity standards.

No owner or operator shall cause emissions exiting from a shop due solely to operations of any affected submerged arc furnace, to exceed 20 percent opacity for more than one 6-minute period during any performance test, with the following exceptions:

(a) Visible particulate emissions from a shop due solely to operation of a semi-closed submerged arc furnace, may exceed 20 percent opacity, measured as a 6-minute average, one time during any performance test, so long as the emissions never exceed 60 percent opacity, measured as a 6-minute average.

(b) Blowing taps, poling and oxygen lancing of the tap hole; burndowns associated with electrode measurements; and maintenance activities associated with submerged arc furnaces and casting operations are exempt from the opacity standards specified in this section.

**§ 63.1654 Operational and work practice standards.**

(a) *Fugitive dust sources.* (1) Each owner or operator of an affected ferromanganese and silicomanganese production facility must prepare, and at all times operate according to, a fugitive dust control plan that describes in detail the measures that will be put in place to control fugitive dust emissions from the individual fugitive dust sources at the facility.

(2) The owner or operator must submit a copy of the fugitive dust control plan to the designated permitting authority on or before the applicable compliance date for the affected source as specified in § 63.1650(e). The requirement for the owner or operator to operate the facility according to a written fugitive dust control plan must be incorporated in the operating permit for the facility that is issued by the designated permitting authority under part 70 of this chapter.

(3) The owner or operator may use existing manuals that describe the measures in place to control fugitive dust sources required as part of a State implementation plan or other federally enforceable requirement for particulate matter to satisfy the requirements of paragraph (a)(1) of this section.

(b) *Baghouses equipped with bag leak detection systems.* The owner or operator of a new or reconstructed submerged arc furnace must install and continuously operate a bag leak detection system if the furnace's primary and/or tapping emissions are ducted to a negative pressure baghouse or to a positive pressure baghouse equipped with a stack. The owner or operator must maintain and operate each baghouse such that the following conditions are met:

(1) The alarm on the system does not sound for more than 5 percent of the total operating time in a 6-month reporting period.

(2) A record is made of the date and time of each alarm and procedures to determine the cause of the alarm are initiated within 1 hour of the alarm according to the plan for corrective action required under § 63.1657(a)(7).

**§ 63.1655 Maintenance requirements.**

(a) The owner or operator of an affected source must comply with the requirements of § 63.6(e) of subpart A.

(b)(1) The owner or operator must develop and implement a written maintenance plan for each air pollution control device associated with submerged arc furnaces, metal oxygen refining processes, and crushing and screening operations subject to the provisions of this part. The owner or operator must keep the maintenance plan on record and available for the Administrator's inspection for the life of the air pollution control device or until the affected source is no longer subject to the provisions of this part.

(2) To satisfy the requirement to develop maintenance plans, the owner or operator may use the affected source's standard operating procedures (SOP) manual or other plan, provided the alternative plan meets the requirements of this paragraph and is made available for inspection when requested by the Administrator.

(c) The procedures specified in the maintenance plan must include a preventive maintenance schedule that is consistent with good air pollution control practices for minimizing emissions and, for baghouses, ensure that the requirements specified in § 63.1657(a) are met.

(d) The owner or operator must perform monthly inspections of the equipment that is important to the performance of the furnace capture system. This inspection must include an examination of the physical condition of the equipment, suitable for detecting holes in ductwork or hoods, flow constrictions in ductwork due to dents or accumulated dust, and operational status of flow rate controllers (pressure sensors, dampers, damper switches, etc.). Any deficiencies must be recorded and proper maintenance and repairs performed.

**§ 63.1656 Performance testing, test methods, and compliance demonstrations.**

(a) *Performance testing.* (1) All performance tests must be conducted according to the requirements in § 63.7 of subpart A.

(2) Each performance test must consist of three separate and complete runs using the applicable test methods.

(3) Each run must be conducted under conditions that are representative of normal process operations.

(4) Performance tests conducted on air pollution control devices serving submerged arc furnaces must be conducted such that at least one tapping period, or at least 20 minutes of a tapping period, whichever is less, is included in at least two of the three runs. The sampling time for each run must be at least as long as three times the average tapping period of the tested furnace, but no less than 60 minutes.

(5) The sample volume for each run must be at least 0.9 dscm (30 dscf).

(6) You must conduct the performance tests specified in paragraph (c) of this section under such conditions as the Administrator specifies based on representative performance of the affected source for the period being tested. Upon request, you must make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(b) *Test methods.* The following test methods in appendix A of part 60 of this chapter must be used to determine compliance with the emission standards.

(1) Method 1 to select the sampling port location and the number of traverse points.

(2) Method 2 to determine the volumetric flow rate of the stack gas.

(3) Method 3 to determine the dry molecular weight of the stack gas.

(4) Method 4 to determine the moisture content of the stack gas.

(5) Method 5 to determine the particulate matter concentration of the stack gas for negative pressure baghouses and positive pressure baghouses with stacks.

(6) Method 5D to determine particulate matter concentration and volumetric flow rate of the stack gas for positive pressure baghouses without stacks.

(7) Method 9 of appendix A-4 of 40 CFR part 60 to determine opacity. ASTM D7520-13, "Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmos-

phere" may be used (incorporated by reference, see § 63.14) with the following conditions:

(i) During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520-13, the owner or operator or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees and mixed backgrounds (clouds and/or a sparse tree stand).

(ii) The owner or operator must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520-13.

(iii) The owner or operator must follow the recordkeeping procedures outlined in § 63.10(b)(1) for the DCOT certification, compliance report, data sheets and all raw unaltered JPEGs used for opacity and certification determination.

(iv) The owner or operator or the DCOT vendor must have a minimum of four (4) independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity.

(v) Use of this approved alternative does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software and operator in accordance with ASTM D7520-13 and these requirements is on the facility, DCOT operator and DCOT vendor.

(8) The owner or operator may use equivalent alternative measurement methods approved by the Administrator following the procedures described in § 63.7(f) of subpart A.

(c) *Compliance demonstration with the emission standards.* (1) The owner or operator must conduct an initial performance test for air pollution control devices or vent stacks subject to § 63.1652(a) through (e) to demonstrate

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compliance with the applicable emission standards.

(2) The owner or operator must conduct annual performance tests for the air pollution control devices and vent stacks associated with the submerged arc furnaces, with the exception of any air pollution control devices that serve tapping emissions combined with non-furnace emissions, such as the MOR process or equipment associated with crushing and screening. Also excluded are air pollution control devices that serve dedicated non-furnace emissions, such as the MOR process or equipment associated with crushing and screening. The results of these annual tests will be used to demonstrate compliance with the emission standards in § 63.1652(a) through (e), as applicable.

(3) Following development, and approval, if required, of the site-specific test plan, the owner or operator must conduct a performance test for each air pollution control device or vent stack to measure particulate matter and determine compliance with the applicable standard.

(i) An owner or operator of sources subject to the particulate matter concentration standards in § 63.1652(a)(2), (d), or (e), must determine compliance as follows:

(A) Determine the particulate matter concentration using Method 5 or 5D, as applicable.

(B) Compliance is demonstrated if the average concentration for the three runs comprising the performance test does not exceed the standard.

(ii) An owner or operator of sources subject to the particulate mass rate standards in § 63.1652(b) or (c) must determine compliance as follows:

(A) Determine the particulate matter concentration and volumetric flow rate using Method 5 or 5D, as applicable.

(B) Compute the mass rate ( $E_M$ ) of particulate matter for each run using the following equation:

$$E_M = \left[ \sum_{i=1}^N C_{si} Q_{sdi} \right] / K$$

Where:

$E_M$  = mass rate of particulate matter, kg/hr (lb/hr).

$N$  = total number of exhaust streams at which emissions are quantified.

$C_{si}$  = concentration of particulate matter from exhaust stream “i”, mg/dscm (gr/dscf).

$Q_{sdi}$  = volumetric flow rate of effluent gas from exhaust stream “i”, dscm/hr (dscf/hr)

$K$  = conversion factor,  $1 \times 10^6$  mg/kg (7,000 gr/lb).

(C) Compliance is demonstrated if the average of the mass rates for the three runs comprising the performance test does not exceed the standard.

(iii) An owner or operator of sources subject to the particulate matter process-weighted rate standard in § 63.1652(a)(1) must determine compliance as follows:

(A) Determine particulate matter concentration and volumetric flow rate using Method 5 or 5D, as applicable.

(B) Compute the process-weighted mass rate ( $E_P$ ) of particulate matter for each run using the following equation:

$$E_P = \left[ \sum_{i=1}^N C_{si} Q_{sdi} \right] / PK$$

Where:

$E_P$  = process-weighted mass rate of particulate matter, kg/hr/MW (lb/hr/MW).

$N$  = total number of exhaust streams at which emissions are quantified.

$C_{si}$  = concentration of particulate matter from exhaust stream “i”, mg/dscm (gr/dscf)

$Q_{sdi}$  = volumetric flow rate of effluent gas from exhaust stream “i”, dscm/hr (dscf/hr)

$P$  = Average furnace power input, MW

$K$  = conversion factor,  $1 \times 10^6$  mg/kg (7,000 gr/lb).

(C) Compliance is demonstrated if the average process-weighted mass rate for the three runs comprising the performance test does not exceed the standard.

(4) If a venturi scrubber is used to comply with the emission standards, the owner or operator must establish as a site-specific operating parameter the lowest average pressure drop on any individual complying run in the three runs constituting any compliant test. The pressure drop must be monitored at least every 5 minutes during the test and hourly averages recorded.

(i) [Reserved]

(ii) The owner or operator may augment the data obtained under paragraph (a)(4) of this section by conducting multiple performance tests to establish a range of compliant operating parameter values. The lowest value of this range would be selected as the operating parameter monitoring value. The use of historic compliance data may be used to establish the compliant operating parameter value if the previous values were recorded during performance tests using the same test methods specified in this subpart and established as required in paragraph (a)(4) of this section.

(d) *Compliance demonstration with opacity standards.* (1)(i) The owner or operator subject to § 63.1653 must conduct initial opacity observations of the shop building to demonstrate compliance with the applicable opacity standards according to § 63.6(h)(5), which addresses the conduct of opacity or visible emission observations.

(ii) In conducting the opacity observations of the shop building, the observer must limit his or her field of view to the area of the shop building roof monitor that corresponds to the placement of the affected submerged arc furnaces.

(iii) The owner or operator must conduct the opacity observations according to EPA Method 9 of 40 CFR part 60, appendix A, for a minimum of 60 minutes.

(2)(i) When demonstrating initial compliance with the shop building opacity standard, as required by paragraph (d)(1) of this section, the owner or operator must simultaneously establish parameter values for one of the following: the control system fan motor amperes and all capture system damper positions, the total volumetric flow rate to the air pollution control device and all capture system damper positions, or volumetric flow rate through each separately ducted hood that comprises the capture system.

(ii) The owner or operator may petition the Administrator to reestablish these parameters whenever he or she can demonstrate to the Administrator's satisfaction that the submerged arc furnace operating conditions upon which the parameters were previously established are no longer applicable.

The values of these parameters determined during the most recent demonstration of compliance must be maintained at the appropriate level for each applicable period.

(3) The owner or operator must demonstrate continuing compliance with the opacity standards by following the monitoring requirements specified in § 63.1657(c) and the reporting and recordkeeping requirements specified in §§ 63.1659(b)(4) and 63.1660(b).

(e) *Compliance demonstration with the operational and work practice standards—*(1) *Fugitive dust sources.* Failure to have a fugitive dust control plan or failure to report deviations from the plan and take necessary corrective action would be a violation of the general duty to ensure that fugitive dust sources are operated and maintained in a manner consistent with good air pollution control practices for minimizing emissions per § 63.1652(f).

(2) *Baghouses equipped with bag leak detection systems.* The owner or operator demonstrates compliance with the bag leak detection system requirements by submitting reports as required by § 63.1659(b)(5) showing that the alarm on the system does not sound for more than 5 percent of the total operating time in a 6-month period. Calculate the percentage of total operating time the alarm on the bag leak detection system sounds as follows:

(i) Do not include alarms that occur due solely to a malfunction of the bag leak detection system in the calculation.

(ii) [Reserved]

(iii) Count 1 hour of alarm time for each alarm where the owner or operator initiates procedures to determine the cause within 1 hour of the alarm.

(iv) Count the actual time it takes the owner or operator to initiate procedures to determine the cause of the alarm for each alarm where the owner or operator does not initiate procedures to determine the cause within 1 hour of the alarm.

(v) Calculate the percentage of time the alarm on the bag leak detection system sounds as the ratio of the sum

of alarm times to the total operating time multiplied by 100.

[64 FR 27458, May 20, 1999, as amended at 71 FR 20462, Apr. 20, 2006; 80 FR 37399, June 30, 2015]

**§ 63.1657 Monitoring requirements.**

(a) *Baghouses*. (1) For the baghouses serving the submerged arc furnaces, the metal oxygen refining process, and crushing and screening operations, the owner or operator must observe on a daily basis for the presence of any visible emissions.

(2) In addition to the daily visible emissions observation, the owner or operator must conduct the following activities:

(i) Daily monitoring of pressure drop across each baghouse cell, or across the baghouse if it is not possible to monitor each cell individually, to ensure the pressure drop is within the normal operating range identified in the baghouse maintenance plan.

(ii) Weekly confirmation that dust is being removed from hoppers through visual inspection, or equivalent means of ensuring the proper functioning of removal mechanisms.

(iii) Daily check of compressed air supply for pulse-jet baghouses.

(iv) An appropriate methodology for monitoring cleaning cycles to ensure proper operation.

(v) Monthly check of bag cleaning mechanisms for proper functioning through visual inspection or equivalent means.

(vi) Quarterly visual check of bag tension on reverse air and shaker-type baghouses to ensure that the bags are not kinked (knead or bent) or laying on their sides. Such checks are not required for shaker-type baghouses using self-tensioning (spring loaded) devices.

(vii) Quarterly confirmation of the physical integrity of the baghouse structure through visual inspection of the baghouse interior for air leaks.

(viii) Semiannual inspection of fans for wear, material buildup, and corrosion through visual inspection, vibration detectors, or equivalent means.

(3) In addition to meeting the requirements of paragraphs (a)(1) and (a)(2) of this section, the owner or operator of a new or reconstructed submerged arc furnace must install and

continuously operate a bag leak detection system if the furnace primary and/or tapping emissions are ducted to a negative pressure baghouse or to a positive pressure baghouse equipped with a stack. The bag leak detection system must meet the following requirements:

(i) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter (0.0044 grains per actual cubic foot) or less.

(ii) The bag leak detection system sensor must provide output of relative particulate matter loadings, and the owner or operator must continuously record the output from the bag leak detection system.

(iii) The bag leak detection system must be equipped with an alarm system that will sound when an increase in relative particulate loadings is detected over a preset level. The alarm must be located where it can be heard by the appropriate plant personnel.

(iv) Each bag leak detection system that works based on the triboelectric effect must be installed, calibrated, operated, and maintained consistent with the U.S. Environmental Protection Agency guidance document “Fabric Filter Bag Leak Detection Guidance” (EPA-454/R-98-015). Other bag leak detection systems must be installed, calibrated, and maintained consistent with the manufacturer’s written specifications and recommendations.

(v) The initial adjustment of the system must, at a minimum, consist of establishing the baseline output by adjusting the sensitivity (range) and the averaging period of the device, and establishing the alarm set points and the alarm delay time.

(vi) Following initial adjustment, the owner or operator must not adjust the sensitivity or range, averaging period, alarm set points, or alarm delay time, except as detailed in the maintenance plan required under § 63.1655(b). In no event must the sensitivity be increased by more than 100 percent or decreased more than 50 percent over a 365-day period unless a responsible official certifies the baghouse has been inspected



and found to be in good operating condition.

(vii) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(4) As part of the maintenance plan required by § 63.1655(b), the owner or operator must develop and implement corrective action procedures to be followed in the case of a bag leak detection system alarm (for baghouses equipped with such a system), the observation of visible emissions from the baghouse, or the indication through the periodic baghouse system inspections that the system is not operating properly. The owner or operator must initiate corrective action as soon as practicable after the occurrence of the observation or event indicating a problem.

(5) The corrective action plan must include procedures used to determine the cause of an alarm or other indications of problems as well as actions to minimize emissions. These actions may include the following:

(i) Inspecting the baghouse for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in emissions.

(ii) Sealing off defective bags or filter media.

(iii) Replacing defective bags or filter media, or otherwise repairing the control device.

(iv) Sealing off a defective baghouse compartment.

(v) Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system.

(vi) Shutting down the process producing the particulate matter emissions.

(6) Failure to monitor or failure to take corrective action under the requirements of paragraph (a) of this section would be a violation of the general duty to operate in a manner consistent with good air pollution control practices that minimizes emissions per § 63.1652(f).

(b) *Venturi scrubbers.* (1) The owner or operator must monitor the pressure drop across the venturi at least every 5 minutes and record the average hourly pressure drop. Measurement of an average hourly pressure drop less than the

pressure drop operating parameter limit established during a successful compliance demonstration would be a violation of the applicable emission standard, unless the excursion in the pressure drop is due to a malfunction.

(2) As part of the maintenance plan required by § 63.1655(b), the owner or operator must develop and implement corrective action procedures to be followed in the case of a violation of the pressure drop requirement. The owner or operator must initiate corrective action as soon as practicable after the excursion.

(3) Failure to monitor or failure to take corrective action under the requirements of paragraph (b) of this section would be a violation of the general duty to operate in a manner consistent with good air pollution control practices that minimizes emissions per § 63.1652(f).

(c) *Shop opacity.* The owner or operator subject to the opacity standards in § 63.1653 must comply with one of the monitoring options in paragraphs (c)(1), (c)(2) or (c)(3) of this section. The selected option must be consistent with that selected during the initial performance test described in § 63.1656(d)(2). Alternatively, the owner or operator may use the provisions of § 63.8(f) to request approval to use an alternative monitoring method.

(1) The owner or operator must check and record the control system fan motor amperes and capture system damper positions once per shift.

(2) The owner or operator must install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate through each separately ducted hood.

(3) The owner or operator must install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate at the inlet of the air pollution control device and must check and record the capture system damper positions once per shift.

(4) The flow rate monitoring devices must meet the following requirements:

(i) Be installed in an appropriate location in the exhaust duct such that reproducible flow rate monitoring will result.

(ii) Have an accuracy  $\pm 10$  percent over its normal operating range and be

calibrated according to the manufacturer's instructions.

(5) The Administrator may require the owner or operator to demonstrate the accuracy of the monitoring device(s) relative to Methods 1 and 2 of appendix A of part 60 of this chapter.

(6) Failure to maintain the appropriate capture system parameters (fan motor amperes, flow rate, and/or damper positions) establishes the need to initiate corrective action as soon as practicable after the monitoring excursion in order to minimize excess emissions.

(7) Failure to monitor or failure to take corrective action under the requirements of paragraph (c) of this section would be a violation of the general duty to operate in a manner consistent with good air pollution control practices that minimizes emissions per § 63.1652(f).

[64 FR 27458, May 20, 1999, as amended at 80 FR 37399, June 30, 2015]

#### § 63.1658 Notification requirements.

(a) As required by § 63.9(b) of subpart A, unless otherwise specified in this subpart, the owner or operator must submit the following written notifications to the Administrator:

(1) The owner or operator of an area source that subsequently becomes subject to the requirements of the standard must provide notification to the applicable permitting authority as required by § 63.9(b)(1).

(2) As required by § 63.9(b)(2), the owner or operator of an affected source that has an initial startup before the effective date of the standard must notify the Administrator that the source is subject to the requirements of the standard. The notification must be submitted no later than 120 calendar days after May 20, 1999 (or within 120 calendar days after the source becomes subject to this standard) and must contain the information specified in § 63.9(b)(2)(i) through (b)(2)(v).

(3) As required by § 63.9(b)(3), the owner or operator of a new or reconstructed affected source, or a source that has been reconstructed such that it is an affected source, that has an initial startup after the effective date and for which an application for approval of construction or reconstruction is not

required under § 63.5(d), must notify the Administrator in writing that the source is subject to the standards no later than 120 days after initial startup. The notification must contain the information specified in § 63.9(b)(2)(i) through (b)(2)(v), delivered or post-marked with the notification required in § 63.9(b)(5).

(4) As required by § 63.9(b)(4), the owner or operator of a new or reconstructed major affected source that has an initial startup after the effective date of this standard and for which an application for approval of construction or reconstruction is required under § 63.5(d) must provide the information specified in § 63.9(b)(4)(i) through (b)(4)(v).

(5) As required by § 63.9(b)(5), the owner or operator who, after the effective date of this standard, intends to construct a new affected source or reconstruct an affected source subject to this standard, or reconstruct a source such that it becomes an affected source subject to this standard, must notify the Administrator, in writing, of the intended construction or reconstruction.

(b) *Request for extension of compliance.* As required by § 63.9(c), if the owner or operator of an affected source cannot comply with this standard by the applicable compliance date for that source, or if the owner or operator has installed BACT or technology to meet LAER consistent with § 63.6(i)(5), he or she may submit to the Administrator (or the State with an approved permit program) a request for an extension of compliance as specified in § 63.6(i)(4) through (i)(6).

(c) *Notification that source is subject to special compliance requirements.* As required by § 63.9(d), an owner or operator of a new source that is subject to special compliance requirements as specified in § 63.6(b)(3) and (b)(4) must notify the Administrator of his or her compliance obligations no later than the notification dates established in § 63.9(b) for new sources that are not subject to the special provisions.

(d) *Notification of performance test.* As required by § 63.9(e), the owner or operator of an affected source must notify the Administrator in writing of his or her intention to conduct a performance

test at least 30 calendar days before the performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under § 63.7(c) and to have an observer present during the test.

(e) *Notification of opacity and visible emission observations.* As required by § 63.9(f), the owner or operator of an affected source must notify the Administrator in writing of the anticipated date for conducting the opacity or visible emission observations specified in § 63.6(h)(5). The notification must be submitted with the notification of the performance test date, as specified in paragraph (d) of this section, or if visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under § 63.7, the owner or operator must deliver or postmark the notification not less than 30 days before the opacity or visible emission observations are scheduled to take place.

(f) *Notification of compliance status.* The owner or operator of an affected source must submit a notification of compliance status as required by § 63.9(h). The notification must be sent before the close of business on the 60th day following completion of the relevant compliance demonstration.

#### § 63.1659 Reporting requirements.

(a) *General reporting requirements.* The owner or operator of a ferromanganese and silicomanganese production facility must comply with all of the reporting requirements under § 63.10 of subpart A, unless otherwise specified in this subpart.

(1) *Frequency of reports.* As provided by § 63.10(a)(5), if the owner or operator is required to submit periodic reports to a State on an established time line, he or she may change the dates by which periodic reports submitted under this part may be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. This provision may be applied at any point after the source's compliance date.

(2) *Reporting results of performance tests.* As required by § 63.10(d)(2), the owner or operator of an affected source

must report the results of the initial performance test as part of the notification of compliance status required in § 63.1658(f).

(3) [Reserved]

(4) *Reporting malfunctions.* If a malfunction occurred during the reporting period, the report must include the number, duration and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.1652(f), including actions taken to correct a malfunction.

(b) *Specific reporting requirements.* In addition to the information required under § 63.10, reports required under paragraph (a) of this section must include the information specified in paragraphs (b)(1) through (b)(5) of this section. As allowed by § 63.10(a)(3), if any State requires a report that contains all of the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.

(1) *Air pollution control devices.* The owner or operator must submit reports that summarize the records maintained as part of the practices described in the maintenance plan for air pollution control devices required under § 63.1655(b), including an explanation of the periods when the procedures were not followed and the corrective actions taken.

(2) *Venturi scrubbers.* In addition to the information required to be submitted in paragraph (b)(1) of this section, the owner or operator must submit reports that identify the periods when the average hourly pressure drop of venturi scrubbers used to control particulate emissions dropped below the levels established in § 63.1656(c)(4), and an explanation of the corrective actions taken.

(3) *Fugitive dust.* The owner or operator must submit reports that explain the periods when the procedures outlined in the fugitive dust control plan

pursuant to § 63.1654(a) were not followed and the corrective actions taken.

(4) *Capture system.* The owner or operator must submit reports that summarize the monitoring parameter excursions measured pursuant to § 63.1657(c) and the corrective actions taken.

(5) *Bag leak detection system.* The owner or operator must submit reports including the following information:

- (i) Records of all alarms.
- (ii) Description of the actions taken following each bag leak detection system alarm.
- (iii) Calculation of the percent of time the alarm on the bag leak detection system sounded during the reporting period.

(6) *Frequency of reports.* (i) The owner or operator must submit reports pursuant to § 63.10(e)(3) that are associated with excess emissions events such as the excursion of the scrubber pressure drop limit per paragraph (b)(2) of this section. These reports are to be submitted on a quarterly basis, unless the owner or operator can satisfy the requirements in § 63.10(e)(3) to reduce the frequency to a semiannual basis.

(ii) All other reports specified in paragraphs (b)(1) through (b)(5) of this section must be submitted semiannually.

[64 FR 27458, May 20, 1999, as amended at 80 FR 37399, June 30, 2015]

**§ 63.1660 Recordkeeping requirements.**

(a) *General recordkeeping requirements.*

(1) The owner or operator of a ferromanganese and silicomanganese production facility must comply with all of the recordkeeping requirements under § 63.10.

(2) As required by § 63.10(b)(2), the owner or operator must maintain records for 5 years from the date of each record of:

- (i) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control equipment and monitoring equipment;
- (ii) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.1652(f), including corrective actions to restore malfunctioning process and air pollution control and monitoring

equipment to its normal or usual manner of operation;

(iii) All maintenance performed on the air pollution control equipment;

(iv)–(v) [Reserved]

(vi) All required measurements needed to demonstrate compliance with the standard and to support data that the source is required to report, including, but not limited to, performance test measurements (including initial and any subsequent performance tests) and measurements as may be necessary to determine the conditions of the initial test or subsequent tests;

(vii) All results of initial or subsequent performance tests;

(viii) If the owner or operator has been granted a waiver from recordkeeping or reporting requirements under § 63.10(f), any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements;

(ix) If the owner or operator has been granted a waiver from the initial performance test under § 63.7(h), a copy of the full request and the Administrator's approval or disapproval;

(x) All documentation supporting initial notifications and notifications of compliance status required by § 63.9; and

(xi) As required by § 63.10(b)(3), records of any applicability determination, including supporting analyses.

(b) *Specific recordkeeping requirements.*

(1) In addition to the general records required by paragraph (a) of this section, the owner or operator must maintain records for 5 years from the date of each record of:

(i) Records of pressure drop across the venturi if a venturi scrubber is used.

(ii) Records of manufacturer certification that monitoring devices are accurate to within 5 percent (unless otherwise specified in this subpart) and of calibrations performed at the manufacturer's recommended frequency, or at a frequency consistent with good engineering practice, or as experience dictates.

(iii) Records of bag leak detection system output.

(iv) An identification of the date and time of all bag leak detection system

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alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the actions taken, and the date and time the alarm was corrected.

(v) Copy of the written maintenance plan for each air pollution control device.

(vi) Copy of the fugitive dust control plan.

(vii) Records of each maintenance inspection and repair, replacement, or other corrective action.

(2) All records for the most recent 2 years of operation must be maintained on site. Records for the previous 3 years may be maintained off site.

[64 FR 27458, May 20, 1999, as amended at 80 FR 37400, June 30, 2015]

### § 63.1661 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart

is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to requirements in §§ 63.1650 and 63.1652 through 63.1654.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

[68 FR 37360, June 23, 2003]

§§ 63.1662–63.1679 [Reserved]

TABLE 1 TO SUBPART XXX OF PART 63—GENERAL PROVISIONS APPLICABILITY TO SUBPART XXX

| Reference                 | Applies to subpart XXX | Comment  |
|---------------------------|------------------------|--|
| § 63.1 .....              | Yes.                   |  |
| § 63.2 .....              | Yes.                   |  |
| § 63.3 .....              | Yes.                   |  |
| § 63.4 .....              | Yes.                   |  |
| § 63.5 .....              | Yes.                   |  |
| § 63.6(a), (b), (c) ..... | Yes.                   |  |
| § 63.6(d) .....           | No .....               | Section reserved.  |
| § 63.6(e)(1)(i) .....     | No .....               | See §§ 63.1623(g) and 63.1652(f) for general duty requirement. |
| § 63.6(e)(1)(ii) .....    | No.                    |  |
| § 63.6(e)(1)(iii) .....   | Yes.                   |  |
| § 63.6(e)(2) .....        | No .....               | Section reserved.  |
| § 63.6(e)(3) .....        | No.                    |  |
| § 63.6(f)(1) .....        | No.                    |  |
| § 63.6(f)(2)–(3) .....    | Yes.                   |  |
| § 63.6(g) .....           | Yes.                   |  |
| § 63.6(h)(1) .....        | No.                    |  |
| § 63.6(h)(2)–(9) .....    | Yes.                   |  |
| § 63.6(i) .....           | Yes.                   |  |
| § 63.6(j) .....           | Yes.                   |  |
| § 63.7(a)–(d) .....       | Yes.                   |  |
| § 63.7(e)(1) .....        | No .....               | See §§ 63.1625(a)(5) and 63.1656(a)(6).                        |
| § 63.7(e)(2)–(4) .....    | Yes.                   |  |
| § 63.7(f), (g), (h) ..... | Yes.                   |  |
| § 63.8(a)–(b) .....       | Yes.                   |  |

| Reference  | Applies to subpart XXX         | Comment   |
|--|--------------------------------|---|
| § 63.8(c)(1)(i) .....  | No .....                       | See §§ 63.1623(g) and 63.1652(f) for general duty requirement.  |
| § 63.8(c)(1)(ii) .....   | Yes.                           |   |
| § 63.8(c)(1)(iii) .....  | No.                            |   |
| § 63.8(c)(2)–(d)(2) .....  | Yes.                           |   |
| § 63.8(d)(3) .....   | Yes, except for last sentence. | SSM plans are not required.   |
| § 63.8(e)–(g) .....  | Yes.                           |   |
| § 63.9(a),(b),(c),(e),(g),(h)(1) through (3), (h)(5) and (6), (i) and (j). | Yes.                           |   |
| § 63.9(f) .....  | Yes.                           |   |
| § 63.9(h)(4) .....   | No .....                       | Section reserved.   |
| § 63.10(a) .....   | Yes.                           |   |
| § 63.10(b)(1) .....  | Yes.                           |   |
| § 63.10(b)(2)(i) .....   | No.                            |   |
| § 63.10(b)(2)(ii) .....  | No .....                       | See §§ 63.1628 and 63.1660 for recordkeeping of (1) occurrence and duration and (2) actions taken during malfunction. |
| § 63.10(b)(2)(iii) .....   | Yes.                           |   |
| § 63.10(b)(2)(iv)–(v) .....  | No.                            |   |
| § 63.10(b)(2)(vi)–(xiv) .....  | Yes.                           |   |
| § 63.10(b)(3) .....  | Yes.                           |   |
| § 63.10(c)(1)–(9) .....  | Yes.                           |   |
| § 63.10(c)(10)–(11) .....  | No .....                       | See §§ 63.1628 and 63.1660 for malfunction recordkeeping requirements.  |
| § 63.10(c)(12)–(14) .....  | Yes.                           |   |
| § 63.10(c)(15) .....   | No.                            |   |
| § 63.10(d)(1)–(4) .....  | Yes.                           |   |
| § 63.10(d)(5) .....  | No .....                       | See §§ 63.1628(d)(8) and 63.1659(a)(4) for malfunction reporting requirements.  |
| § 63.10(e)–(f) .....   | Yes.                           |   |
| § 63.11 .....  | No .....                       | Flares will not be used to comply with the emission limits.   |
| §§ 63.12–63.15 .....   | Yes .....                      |   |

[80 FR 37400, June 30, 2015]

## Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills

SOURCE: 68 FR 2238, Jan. 16, 2003, unless otherwise noted.

### WHAT THIS SUBPART COVERS

#### § 63.1930 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants for existing and new municipal solid waste (MSW) landfills. This subpart requires all landfills described in § 63.1935 to meet the requirements of 40 CFR part 60, subpart Cc or WWW and requires timely control of bioreactors. This subpart also requires such landfills to meet the startup, shutdown, and malfunction (SSM) requirements of the general provisions of this part and provides that compliance with the operating conditions shall be dem-

onstrated by parameter monitoring results that are within the specified ranges. It also includes additional reporting requirements.

#### § 63.1935 Am I subject to this subpart?

You are subject to this subpart if you meet the criteria in paragraph (a) or (b) of this section.

(a) You are subject to this subpart if you own or operate a MSW landfill that has accepted waste since November 8, 1987 or has additional capacity for waste deposition and meets any one of the three criteria in paragraphs (a)(1) through (3) of this section:

(1) Your MSW landfill is a major source as defined in 40 CFR 63.2 of subpart A.

(2) Your MSW landfill is collocated with a major source as defined in 40 CFR 63.2 of subpart A.

(3) Your MSW landfill is an area source landfill that has a design capacity equal to or greater than 2.5 million megagrams (Mg) and 2.5 million cubic